

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION

PAMELA JOHNSON,

Plaintiff,

v.

L'ORÉAL USA S/D, INC.;
GARNIER LLC; and WALGREEN CO.,

Defendants.

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CASE NO. MO:19-CV-00155-DC

APPENDIX IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Defendants L'Oréal USA S/D, Inc., Garnier LLC, and Walgreen Co. (collectively, "Defendants") hereby respectfully submit to this Court this Appendix in support of Defendants' Motion for Summary Judgment:

Exhibit	Description	Appendix #
1	Excerpts of Feb. 14, 2020 Deposition of Pamela Johnson	App. 001 – 027
2	Product Box, L'Oreal-Johnson-0001 – 2	App. 028 – 029
3	Plaintiff's Response to Defendants' 2nd Request for Production and excerpts from PLAINTIFF 0207	App. 030 – 036
4	Excerpts of Feb. 14, 2020 Deposition of Christell Johnson	App. 37 – 52
5	Product Label, L'Oreal-Johnson-0007 – 10	App. 53 - 54
6	Garnier Nutrisse Color Crème Tube packaging, L'Oreal-Johnson-0004	App. 55

Respectfully submitted,

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INC., GARNIER LLC, and WALGREEN CO.**

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are registered to accept electronic service of documents in this case will be notified through the court's CM/ECF system and the following were served by email on this the 17th day of July, 2020.

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION

PAMELA JOHNSON,)
)
Plaintiff,)
)
VS.) CIVIL ACTION
)
L'ORÉAL USA S/D, INC.;) NO.: 7:19-CV-00155-DC
GARNIER LLC; AND WALGREEN)
CO.,)
)
Defendants.)

ORAL DEPOSITION OF

PAMELA JOHNSON

FEBRUARY 14, 2020

VOLUME 1 OF 1

ORAL DEPOSITION OF PAMELA JOHNSON, produced as a witness at the instance of the DEFENDANTS, and duly sworn, was taken in the above-styled and numbered cause on February 14, 2020, from 10:48 a.m. to 12:45 p.m., before Jordana Hodges, CSR in and for the State of Texas, reported by machine shorthand, at the offices of Permian Court Reporters, 509 N. Grant Avenue, Odessa, Texas, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record or attached hereto.

PERMIAN COURT REPORTERS, INC.
(432) 683-3032*(432) 683-5324 (FAX)

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A P P E A R A N C E S

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1 to get my studying on.

2 Q. Okay. Well, we're here today, obviously, about
3 hair color.

4 A. Yes.

5 Q. You had a chance to listen in as I was visiting
6 with your daughter about that. And I don't mean to pry,
7 but how long have you colored your hair?

8 A. Well, I just recently started -- I colored my
9 hair in 19 -- I started in 1983 because I didn't want to
10 see my gray. You know, I'm old, but I don't have to
11 look old. I'm sorry, that's my thing, and I've been
12 coloring it.

13 And like I said, I've always used L'Oréal
14 products. And when Garnier came out, I started using it
15 because I liked it, you know, and it made my hair feel
16 so wonderful, just soft, you know. So I've always used
17 it until it burnt me this time.

18 Q. Okay.

19 A. And I mean, it burnt.

20 Q. Well, let's back up a little bit, and let's
21 start with -- so 1983 --

22 A. Uh-huh.

23 Q. -- when you started using hair color?

24 A. Yes, sir.

25 Q. You said you were starting to get a little

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1 you color your hair -- or did you color your hair before
2 July 2017?

3 A. No, my daughter colored my hair on the 17th.
4 No, it was -- I don't know. When it starts wearing off
5 and you can see your gray around, that's when I decided
6 to touch it up --

7 Q. Okay.

8 A. -- as you put it.

9 Q. So again, you didn't really have a specific
10 schedule?

11 A. No, sir.

12 Q. Okay. Just when you started seeing gray?

13 A. Yes, sir.

14 Q. Okay. Do you remember when you would have
15 started using the L'Oréal Garnier product? If you
16 started coloring your hair in 1983 --

17 A. Yes.

18 Q. -- about when would you have started using the
19 L'Oréal, would it have been in the '80s?

20 A. Yes.

21 Q. Okay. And it sounds like your daughter
22 indicated in her testimony that she started helping you
23 with your hair in the mid '90s; is that right?

24 A. Yes.

25 Q. Okay. Did you do it yourself before then?

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1 A. Yes, I'd do it myself or either I'd call my
2 sister and ask her --

3 Q. Okay.

4 A. -- if she wasn't working.

5 Q. Was your sister a beautician?

6 A. No, no.

7 Q. Okay. Show just helped you color your hair?

8 A. Yes.

9 MR. HUTTON: Thank you, Rachel. It is
10 getting a little warm.

11 A. Yes, I thought it was just me.

12 Q. (BY MR. HUTTON) No, no. You're in the hot
13 seat, but it doesn't have to be literally hot.

14 So you use relaxer and hair color. Any
15 other hair products that you used over the years.

16 A. No, sir.

17 Q. Okay. And I visited a little bit about this
18 with your daughter as well, but before July 2017, had
19 you ever conducted what they call skin test or a patch
20 test --

21 A. No.

22 Q. -- prior to using hair color?

23 A. No.

24 Q. Never?

25 A. No, sir.

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1 Q. That you remember?

2 A. No, sir.

3 Q. And do you know what I mean by --

4 A. Yes, sir, I do.

5 Q. A "skin test"?

6 It's like where you take a little patch and
7 put it on your elbow?

8 MS. AMBLER: Let him finish his question.

9 THE WITNESS: I'm sorry.

10 MR. HUTTON: Thank you, Rachel.

11 Q. (BY MR. HUTTON) Where you mix a little bit of
12 the developer solution and the color and put it on the
13 inside of your elbow, do you understand that's what I
14 mean?

15 A. Yes, sir.

16 Q. Okay. Never did that?

17 A. No, sir.

18 Q. Okay. And I'm not just talking about
19 July 2017, I'm talking about since 1983, do you ever
20 remember doing that?

21 A. No, sir.

22 Q. Okay. Before July 2017, had you ever had any
23 problems or discomfort or reaction when using a hair
24 product?

25 A. No, sir.

PAMELA JOHNSON

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1 A. No, sir.

2 Q. Lucky lady. Do you use perfumes?

3 A. Yes, sir.

4

5 Q. What kind of perfume do you use?

6 A. Sir?

7 Q. What kind of perfume do you use?

8 A. All different kinds.

9 Q. Okay.

10 A. Whatever will make me smell good.

11 Q. I think you do smell good. It smells good in
12 here. One of you.

13 Okay. So now, turning to this Garnier
14 Nutrisse product that we're here about today. My
15 understanding is that we're here specifically about the
16 Garnier Nutrisse Ultra Color Blue Black BL21 hair color;
17 is that right?

18 A. Yes, sir.

19 Q. Okay. And you saw me earlier show your
20 daughter the box that I've at least marked as deposition
21 Exhibit 1. Is that the product that we're talking
22 about?

23 A. Yes, sir.

24 Q. Okay. And is that the product that you used
25 since the '80s?

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1 A. No, sir.

2 Q. Okay.

3 A. I've used the same product, but just a
4 different color.

5 Q. Oh, different color?

6 A. Yes.

7 Q. Okay. What other colors or shades have you
8 used?

9 A. Just auburn.

10 Q. Auburn?

11 A. Uh-huh.

12 Q. Okay. Auburn and black?

13 A. Yes.

14 Q. Okay. Where did you buy the box that you --
15 the product that you used in July 2017?

16 A. Walgreens.

17 Q. And do you remember where that Walgreens is?

18 A. On 8th and Maple.

19 Q. On 8th and Maple. Okay. Is that the Walgreens
20 you always use?

21 A. Yes.

22 Q. Do you have the receipt still that shows that
23 purchase in July 2017?

24 A. No, sir.

25 Q. Do you remember when you bought it?

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1 A. In July -- it was -- I think it was because it
2 was going to be the 4th of July, somewhere in there, and
3 I bought it.

4 Q. Early July?

5 A. Yes.

6 Q. Do you remember if you used a credit card or a
7 debit card to pay for it?

8 A. Cash.

9 Q. Used cash, okay. Do you remember how much you
10 paid?

11 A. I think it was on sale. I think I paid \$7 and
12 something.

13 Q. Now, there's -- I don't go into this very
14 often, I'll admit. You heard me tell your daughter I
15 haven't used hair dye yet, but my understanding is you
16 go down there, and there are a number of different hair
17 colors on that aisle; is that right?

18 A. Yes, sir.

19 Q. Okay. Do you remember why you switched from
20 the black and lovely to the Garnier Nutrisse?

21 A. Because I liked the Garnier because I pretty
22 well knew it, and my sister recommended it because she
23 liked it too because she did her hair and she told me
24 how perfect it does our hair, so I started using it.

25 Q. Okay. And this would have been in the 80s?

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1 A. Yes.

2 Q. Okay. And why did you continue to use it all
3 the way up through 2017?

4 A. Because I loved it. It did my hair so perfect
5 and it made me look good.

6 Q. Is there any other reason you bought it other
7 than you liked it, you had a good experience with it?

8 A. No, sir.

9 Q. Okay. Do you remember anybody at the wall
10 greens recommending the product to you?

11 A. No, sir.

12 Q. Okay. Just you chose it yourself?

13 A. Yes, sir.

14 Q. And then you went and paid for it?

15 A. Yes, sir.

16 Q. Okay. Did you do -- do you do any research on
17 the products that you're thinking about buying?

18 A. No, sir.

19 Q. Okay. You never went on the internet or
20 something and looked up a website about hair color
21 products?

22 A. No.

23 Q. At least before this event?

24 A. No, sir.

25 Q. Have you ever been to the L'Oréal website?

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1 A. No, sir.

2 Q. Okay. Ever remember -- do you remember any
3 particular advertisements for this product?

4 A. Well, I've seen advertisements, yes, sir.

5 Q. After you've been using the product?

6 A. Yes, sir.

7 Q. What do you remember about those ads?

8 A. Nothing, just they -- just telling us about the
9 product --

10 Q. Okay.

11 A. -- you know, that's about it.

12 Q. Anything about any of those things that you've
13 seen, the advertisements, that affected your decision to
14 buy the product?

15 A. No, sir.

16 Q. You just liked the product?

17 A. Just liked it.

18 Q. Okay. Do you know what happened to the product
19 that you used in July 2017, the box and the labeling?

20 A. We throwed it away.

21 Q. You threw it away?

22 A. Uh-huh.

23 Q. You don't remember if you -- did you -- do you
24 have any recollection of returning the product to
25 Walgreens?

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1 A. Yes, sir.

2 Q. And she declined?

3 A. Yes, sir.

4 Q. Okay. What else did she say?

5 A. She said she would relay the message and she
6 took a picture of my head where all the blisters was and
7 she said, I'm going to send this to my manager, my
8 supervisor. And I said, Yes, ma'am, please do. That's
9 my words.

10 Q. Okay. I'll take you back to the '80s, when you
11 first started using L'Oréal products. There's always a
12 lot of words on these boxes in fine print. Do you
13 remember before you bought it reading that information?

14 A. No, sir.

15 Q. Okay.

16 MS. AMBLER: Objection, you said before you
17 bought it.

18 Q. (BY MR. HUTTON) Well, before you bought the
19 product in the '80s, do you remember reading anything
20 about the product on the box?

21 A. No, sir.

22 Q. Did you ever read any of the information on the
23 box?

24 A. No, sir.

25 Q. And we went through this a bit. Do you -- if

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1 you'll look at deposition Exhibit 1, you see -- I'll
2 point you to the same spot that I discuss with your
3 daughter, which is under the area that says Usage
4 Advisory-Safety Warnings.

5 A. Yes.

6 Q. And beneath that -- can you see that?

7 A. Yes, sir.

8 Q. Okay. And it says, "Important: hair color can
9 cause an allergic reaction, which in certain rare cases
10 can be severe, therefore you must follow these
11 precautions." Do you see -- do you see where I read
12 that?

13 A. Yes.

14 Q. And it says, "Do not use if you have already
15 had a reaction to a hair color product or if you have
16 sensitive, itchy or damaged scalp." Did you see that?

17 A. Yes, sir.

18 Q. Okay. Do you remember reading any of that
19 before using the product?

20 A. Yes. I've read that before, yes.

21 Q. Okay. And then beneath that, it says, "Perform
22 a skin allergy test 48 hours before each use of this
23 product." And then it says, "See insert." Do you see
24 where I read that?

25 A. Yes, sir.

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1 Q. Do you remember reading that?

2 A. Yes, sir.

3 Q. Okay. Did you perform that skin allergy test?

4 A. No, sir.

5 Q. You --

6 A. Well --

7 Q. Go ahead.

8 A. I'm sorry.

9 Q. That's okay.

10 A. I never had to do that because this -- you
11 know, you use a product, you don't feel that you have to
12 test it out because, you know, I ain't never -- even
13 beauticians. My aunt was a beautician, and she never
14 did a skin -- I mean, a skin test, so no, sir.

15 Q. Okay. But you would agree with me that that's
16 what the box says?

17 A. Yes, sir.

18 Q. Let me show you what has been marked as
19 deposition Exhibit 2, which is, as you saw, an insert
20 that came out of the box. And I put the sticker on the
21 Spanish side, I'm sorry. Do you speak Spanish?

22 A. No, sir.

23 Q. Okay. I, again, don't either. So I will point
24 you to the English side. Do you remember reading that
25 insert before -- at any time before you used the

PAMELA JOHNSON

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1 product?

2 A. No, sir.

3 Q. At the top there, you say -- you can
4 see, "Thank you for using Garnier Nutrisse nourishing
5 color cream." Do you see where I'm reading there?

6 A. Yes, sir.

7 Q. Okay. Beneath that, it says, "Questions? Talk
8 to your Nutrisse consultant toll free from anywhere in
9 the continental U.S., 1-800-442-7643." Do you see that?

10 A. Yes, sir.

11 Q. Before you -- at any time before you used the
12 L'Oréal product, did you ever call with any questions?

13 A. No, sir.

14 Q. Okay. And then it has a website, "Or visit
15 www.garnierUSA.com." And I think you said previously
16 you'd never been to that website; is that right?

17 A. Yes, sir.

18 Q. And it says, "To view our easy how-to
19 application videos." Did you ever -- I gather you
20 didn't view any of the videos?

21 A. No, sir.

22 Q. Okay. And then underneath that, it has Usage
23 Advisory-Safety Warnings. Do you see that?

24 A. Yes, sir.

25 Q. And, "Read before coloring"?

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1 A. Yes, sir.

2 Q. And again, beneath that, I'll read it. "Skin
3 allergy test: to be performed 48 hours before each use
4 of this product, even if you have already used this or
5 another hair color product." Do you see that?

6 A. Yes, sir.

7 Q. Did you read that warning before?

8 A. No, sir.

9 Q. Okay. And you didn't conduct the skin allergy
10 test?

11 A. No, sir.

12 Q. Okay. And then beneath that, it says, "Skin
13 allergy test. Important: this product can cause an
14 allergic reaction, which in certain rare cases, can be
15 severe. To help minimize the risk of an allergic
16 reaction, you must follow these precautions." Do you
17 see that?

18 A. Yes, sir.

19 Q. Okay. I read that correctly, right?

20 A. Yes, sir.

21 Q. Okay. And then a little bit further down in
22 the box on that same column, it says, Perform a skin
23 allergy test 48 hours before each use of this product as
24 allergies can develop suddenly, even if you have used --
25 previously used a hair color product from this brand or

PAMELA JOHNSON

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1 another. Do you see that?

2 A. Yes, sir.

3 Q. Did you read that instruction?

4 A. No, sir.

5 Q. Okay. And then beneath that, it lays out the
6 skin allergy test instructions. And again, I think
7 that's what I described before --

8 A. Yes.

9 Q. -- by putting a little bit in your elbow. And
10 I think we already covered, that's not something you
11 did?

12 A. No, sir.

13 Q. Before the July 2017 use of this product,
14 correct?

15 A. Yes, sir.

16 Q. Or at any time prior to July 2017?

17 A. Yes, sir.

18 Q. Okay. I think your complaint says that you
19 bought the product on July 7th, 2017 from Walgreens?

20 A. Yes, sir.

21 Q. Do you remember -- does that sound right?

22 A. Yes, sir.

23 Q. Okay. And then how long after you bought it
24 did you have your daughter apply it to your hair?

25 A. As soon as she could get off. So I'm really

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1 Q. Okay. But assume that -- or I assume that you
2 provided this information to the doctors at the time; is
3 that right?

4 A. Yes, sir.

5 Q. And then you -- pain scale is 7 out of 10 at
6 this time, do you see that?

7 A. Yes, sir.

8 Q. And is that something you would have told them
9 as well?

10 A. Yes, sir.

11 Q. Okay. And over in the right-hand column
12 beneath medical decision making, do you see where it
13 says, "Patient presenting symptoms described as possible
14 allergic reaction from the dye." Do you see that?

15 A. Yes, sir.

16 Q. And then, "At rash, seems like she developed
17 secondary bacterial infection manifested by redness and
18 swelling of the affected areas." Do you see that?

19 A. Yes, sir.

20 Q. And then says, "Will be given a prescription
21 for antibiotics med draw pack and Atarax." A-T-A-R-A-X.
22 Do you see that?

23 A. Yes, sir.

24 Q. And then, "Advised to follow up with her
25 primary care doctor or to a dermatologist."

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1 A. Yes, sir.

2 Q. Do you remember receiving any shots at the
3 hospital?

4 A. Yes.

5 Q. Okay. Do you remember what those were?

6 A. No.

7 Q. Did anybody tell you that one of them was a
8 steroid injection?

9 A. Yes.

10 Q. Okay. Let's go to the next page, 000096. Do
11 you see that? Are you there?

12 A. Uh-huh.

13 Q. Okay. On the right-hand column, it
14 says, "Assessment number one, acute localized allergic
15 reaction." Do you see that?

16 A. Yes.

17 Q. And number two, "Cellulitis plan." Do you
18 remember anybody telling you -- does this refresh your
19 recollection at all that somebody may have told you at
20 the time that you had an allergic reaction?

21 A. Yes.

22 Q. Do you remember that?

23 A. Yes.

24 Q. Okay. And then the next page, 000097, it
25 says, "Patient education instructions." Are these the

PAMELA JOHNSON

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1 papers you were talking about receiving from the
2 hospital --

3 A. Yes.

4 Q. -- the ones describing allergies?

5 A. Yes.

6 Q. And 000099 is a section on rash, do you see
7 that?

8 A. Yes.

9 Q. And then the next page describes cellulitis.
10 Do you see that?

11 A. Yes.

12 Q. Okay. And again, those are the papers that
13 they -- they gave you as sort of educational
14 information?

15 A. Yes.

16 Q. Okay. You can set that aside.

17 Okay. Do you remember in addition to the
18 shots that they would have given you at the hospital,
19 receiving any prescriptions to go fill?

20 A. Yes, sir. He -- yes, sir.

21 Q. He wrote some prescriptions for you?

22 A. Yes, sir.

23 Q. Did you fill those?

24 A. Well, I didn't have the money, but I turned
25 them in, and then I finally got the money to -- I got --

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1 help.

2 Q. You got some shots at the ER that time?

3 A. I think so. I'm not for sure if I did.

4 Q. I think your memory is right. I think you may
5 have gotten four shots during that visit?

6 A. Yes, sir.

7 Q. Do you remember what those were?

8 A. No, sir.

9 Q. Okay. Did they give you some prescriptions to
10 fill too?

11 A. I think so.

12 Q. And do you remember filling those?

13 A. Yes, sir. Rachel filled them for me.

14 Q. Okay.

15 MR. HUTTON: I think we're on Exhibit 4
16 now, correct?

17 THE REPORTER: Yes.

18 (Exhibit No. 4 marked.)

19 Q. (BY MR. HUTTON) Okay. I'm handing you what
20 I've marked as Deposition Exhibit No. 4. Can you tell
21 me what this is?

22 A. My prescriptions.

23 Q. Okay. A receipt for your prescriptions?

24 A. Yes, sir.

25 Q. And it's dated July 26th, 2017?

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1 A. Yes, sir.

2 Q. And this is a Walgreens receipt?

3 A. Yes, sir.

4 Q. And it looks like there's five prescriptions
5 that were filled there, correct?

6 A. Yes, sir.

7 Q. And then, it looks like you also bought -- is
8 this yours? Did you go and fill these?

9 A. I took it to the pharmacy.

10 Q. Okay. And it looks like you also bought a
11 Nutrisse ultra color black dye, do you see that as the
12 first item on the receipt?

13 A. Yes.

14 Q. Okay. Why did you buy the hair dye there?

15 A. Because I always have.

16 Q. But this is on July 26th, 2017, correct?

17 A. Yeah.

18 Q. So this is --

19 A. But I don't know what that --

20 MS. AMBLER: We bought this box
21 (indicating).

22 MR. HUTTON: Okay.

23 MS. AMBLER: So we could know what we
24 had --

25 THE WITNESS: Oh, yeah. I couldn't

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1 remember.

2 MS. AMBLER: -- from the time period.

3 Q. (BY MR. HUTTON) Okay. You bought the box to
4 provide to your lawyer?

5 MS. AMBLER: Yes, that's what she bought is
6 this actual box --

7 MR. HUTTON: Okay.

8 MS. AMBLER: -- that you see in front of
9 you here today.

10 MR. HUTTON: I haven't seen that box
11 before.

12 MS. AMBLER: That's why I'm showing it to
13 you. There you go.

14 MR. HUTTON: Fair enough.

15 Q. (BY MR. HUTTON) And your attorney paid for
16 your prescriptions --

17 A. Yes.

18 Q. -- is I think what you said?

19 Okay. So that was the first time you'd
20 filled prescriptions was on July 26th, 2017; is that
21 right?

22 A. I think so.

23 Q. Okay. And it looks like the price of the hair
24 dye on July 26th, 2017 was \$7.99; is that right?

25 A. Yes, sir.

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION

PAMELA JOHNSON,)
)
Plaintiff,)
) CIVIL ACTION
VS.)
) NO.: 7:19-CV-00155-DC
L'ORÉAL USA S/D, INC.;)
GARNIER LLC; AND WALGREEN)
CO.,)
)
Defendants.)

REPORTER'S CERTIFICATION
DEPOSITION OF PAMELA JOHNSON
FEBRUARY 14, 2020

I, Jordana Hodges, Certified Shorthand Reporter in
and for the State of Texas, hereby certify to the
following:

That the witness, PAMELA JOHNSON, was duly sworn by
the officer and that the transcript of the oral
deposition is a true record of the testimony given by
the witness;

That the original transcript was delivered to
MR. ANDREW HUTTON;

That a copy of this certificate was served on all
parties and/or the witness shown herein on
_____;

That pursuant to information given to the

PERMIAN COURT REPORTERS, INC.
(432) 683-3032*(432) 683-5324 (FAX)

PAMELA JOHNSON

Page 115

1 deposition officer at the time said testimony was taken,
2 the following includes all parties of record:

3 FOR THE PLAINTIFF:

4 MS. RACHEL AMBLER
5 AMBLER LAW
6 2651 Kermit Highway
7 Odessa, Texas 79763
8 432.203.0303
9 888.692.3331 (fax)
10 rachel@rachelambler.com

11 FOR THE DEFENDANTS L'ORÉAL USA S/D, INC.; GARNIER LLC;
12 AND WALGREEN CO.:

13 MR. ANDREW HUTTON
14 GORDON & REES
15 816 Congress Avenue
16 Suite 1510
17 Austin, Texas 78701
18 512.582.6478
19 512.391.0183 (fax)
20 ahutton@grsm.com

21 That the amount of time used by each party at the
22 deposition is as follows:

23 MR. HUTTON 01 HOURS:49 MINUTES
24 MS. AMBLER 00 HOURS:04 MINUTES

25 That \$_____ is the deposition officer's
charges to the Defendants for preparing the original
deposition transcript and any copies of exhibits;

I further certify that pursuant to FRCP Rule
30(e)(1), that the signature of the deponent:

xxx was requested by the deponent or a party
before the completion of the deposition, and that
signature is to be before any notary public and returned

PAMELA JOHNSON

Page 116

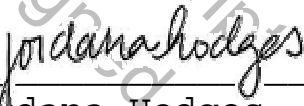
1 within 30 days from date of receipt of the transcript;
2 ____ was not requested by the deponent or a
3 party before the completion of the deposition.

4 If returned, the attached Changes and Signature
5 page contains any changes and the reasons therefor;

6 That \$_____ is the deposition officer's
7 charges to the Plaintiff for preparing the original
8 deposition transcript and any copies of exhibits;

9 I further certify that I am neither counsel for,
10 related to, nor employed by any of the parties or
11 attorneys in the action in which this proceeding was
12 taken, and further that I am not financially or
13 otherwise interested in the outcome of the action.

14 Certified to by me this 6th day of
15 March, 2020.

16
17
18 
19 Jordana Hodges, Texas CSR # 8887
20 Expiration Date: 07/31/2021
21 Firm Registration No. 155
22 Permian Court Reporters
23 605 W. Texas Avenue
24 Midland, Texas 79701
25 432.683.3032

IMPORTANT: FOLLOW THE USAGE ADVISORY
SKIN ALLERGY TEST 48 HOURS BEFORE APPLICATION.

GARNIER
NUTRISSE
ULTRA COLOR

SAME GREAT SHADE
NEW MODEL

Before

After

BL21
BLUE
BLACK
NEGRO
AZULADO

HAIRCOLOR CAN CAUSE AN ALLERGIC REACTION

IMPORTANT: FOLLOW THE USAGE ADVISORY

GARNIER

NEW LOOK
SAME GREAT
FORMULA

BL21
BLUE
BLACK

NUTRISSE
ULTRA COLOR

Nourishing Color Creme
ULTRA BOLD BLACK

Triple Nourishment: Avocado, Olive & Shea Oils

- Ultra Vibrant with Vivid Reflects
- Ultra Long-Lasting

PERMANENT HAIRCOLOR - ONE APPLICATION



TRY
**GARNIER
FRUCTIS**
COLOR SHIELD
To Help Maintain
Color Vibrancy

USAGE ADVISORY-SAFETY WARNINGS

IMPORTANT: HAIRCOLOR CAN CAUSE AN ALLERGIC REACTION WHICH, IN CERTAIN RARE CASES, CAN BE SEVERE. THEREFORE, YOU MUST FOLLOW THESE PRECAUTIONS.

- **DO NOT USE IF:**
 - YOU HAVE ALREADY HAD A REACTION TO A HAIRCOLOR PRODUCT.
 - YOU HAVE A SENSITIVE, ITCHY OR DAMAGED SCALP.
- IF YOU HAVE A TATTOO, THE RISKS OF AN ALLERGIC REACTION MAY BE INCREASED.
- PERFORM A SKIN ALLERGY TEST 48 HOURS BEFORE EACH USE OF THIS PRODUCT (SEE INSERT). REMEMBER TO BUY YOUR PRODUCT 2 DAYS AHEAD OF TIME.
- AVOID CONTACT OF THIS PRODUCT WITH EYES AND SKIN.
- IF PRODUCT GETS INTO EYES, RINSE IMMEDIATELY.
- WEAR GLOVES PROVIDED IN KIT.
- THOROUGHLY RINSE HAIR AFTER APPLICATION.
- DO NOT USE OVER COMPOUND HENNA OR PROGRESSIVE COLOR.
- WAIT AT LEAST 14 DAYS AFTER BLEACHING, RELAXING OR PERMING BEFORE COLORING.
- KEEP PRODUCT OUT OF THE REACH OF CHILDREN. DO NOT APPLY ON CHILDREN.

CAUTION: THIS PRODUCT CONTAINS INGREDIENTS WHICH MAY CAUSE SKIN IRRITATION IN CERTAIN INDIVIDUALS AND A PRELIMINARY TEST ACCORDING TO ACCOMPANYING DIRECTIONS SHOULD FIRST BE MADE. THIS PRODUCT MUST NOT BE USED FOR DYING THE EYELASHES OR EYEBROWS. TO DO SO MAY CAUSE BLINDNESS.

IMPORTANTE: LOS TINTES DE CABELLO PUEDEN CAUSAR UNA REACCIÓN ALÉRGICA QUE, EN CIERTOS CASOS RAROS, PODRÍA SER SERIA. POR LO TANTO, ES NECESARIO QUE SIGA ESTAS PRECAUCIONES.

- **NO LO USE SI:**
 - EN OTRA OCASIÓN TUVO UNA REACCIÓN A UN PRODUCTO PARA TENER EL CABELLO.
 - SU CUERO CABELLUDO ES SENSIBLE, SUFRE DE PICAZÓN O ESTÁ LASTIMADO.
- SI TIENE UN TATUAJE, EL RIESGO DE UNA REACCIÓN ALÉRGICA PUEDE AUMENTAR.
- CADA VEZ QUE VAYA A USAR ESTE PRODUCTO DEBE HACERSE UNA PRUEBA DE ALERGIA CUTÁNEA 48 HORAS ANTES DE USAR LAS INSTRUCCIONES. RECUERDE COMPRAR EL PRODUCTO CON DOS DÍAS DE ANTELACIÓN.
- EVITE EL CONTACTO DE ESTE PRODUCTO CON LOS OJOS Y LA PIEL.
- SI EL PRODUCTO CAE EN SUS OJOS, ENJUAGUELOS INMEDIATAMENTE.
- USE LOS GUANTES QUE VIENEN EN EL KIT.
- ENJUAGUE BIEN EL CABELLO DESPUÉS DE LA APLICACIÓN.
- NO LO USE SOBRE COMPUESTO DE AURENA (HENNA) O COLOR PROGRESIVO.
- ESPERE POR LO MENOS 14 DÍAS PARA TENERSE EL CABELLO DESPUÉS DE HACERSE UN TRATAMIENTO DE PERMANENTE, ALISADO O DECOLORACIÓN.
- MANTENGALO ESTE PRODUCTO FUERA DEL ALCANCE DE LOS NIÑOS. NO SE LO APLIQUE A UN NIÑO.

PRECAUCIÓN: ESTE PRODUCTO CONTIENE INGREDIENTES QUE PODRÍAN CAUSAR IRRITACIÓN EN LA PIEL DE ALGUNAS PERSONAS. DEBIDO A ESTO SE RECOMIENDA HACER PRIMERO UNA PRUEBA SIGUIENDO LAS INSTRUCCIONES ADJUNTAS. ESTE PRODUCTO NO DEBE USARSE PARA TENER LAS PESTAÑAS O LAS CEJAS YA QUE PODRÍA CAUSAR CECIQUERA.

READ AND FOLLOW THE INSERT

INGREDIENTS:

COLORANT:

1053057 AQUA/WATER/EAU, CETEARYL ALCOHOL, PROPYLENE GLYCOL, DODECETH-3, LAURETH-12, AMMONIUM HYDROXIDE, OLETH-30, LAURIC ACID, HEXAMETHYRINE CHLORIDE, GLYCOL DISTEARATE, POLYQUATERNIUM-22, 2,4-DIAMINOPHENOLXYETHANOL, HQ, ETHANOLAMINE, SILICA DIMETHYL SILYLATE, PAPERUM/FRAGRANCE, TOLUENE-2,5 DIAMINE, PENTASODIUM PENTETATE, SODIUM METABISULFITE, CARBOMER, ASCORBIC ACID, RESORCINOL, VITIS VINIFERA SEED OIL, GRAPE SEED OIL, CI 77081/TITANIUM DIOXIDE, NI 802/RYDOXYETHYL) 4-PHENYLENEDIAMINE SULFATE, THIOGLYCERIN, DIMETHICONE, TOCOPHEROL, HELIANTHUS ANNUUS SEED OIL/SUNFLOWER SEED OIL, ROSMARINUS OFFICINALIS (ROSEMARY) EXTRACT. FILL # 026169/13 U.S. PATENT 5,650,696

Ingredients continued on the bottom.

Store between 50° and 80° F.
Se incluyen instrucciones en español.
Léelas con atención.

Questions? Garnier Nutrisse has expert color consultants to help you.

Call: 1-800-4GARNIER (1-800-442-7643)

or visit www.garnierusa.com

GARNIER LLC, NEW YORK, NY 10001

MADE IN MEXICO

EXHIBIT

1

PENGAD 800-631-6

Johnson

GARNIER® NUTRISSE® ULTRA COLOR

NOURISHED HAIR
Nutrisse is the only color creme with a grapeseed oil ampoule mixed directly into your color. Nutrisse lets you nourish hair while you color.

Non-drip creme formula spreads easy and smells great!

Lock in moisture with our creamy after-color conditioner infused with avocado, olive, and shea oils. It keeps hair soft, silky, and nourished.

BOLDER COLOR
Take your color to the next level with intensity-enhancing reflects that deliver ultra vivid transformation for the boldest you.

ULTRA COLOR BLACKS
All brunettes can achieve ultra bold black reflects for high-impact color in just one step.

GARNIER® CARES



FSC
www.fsc.org
MIX
Packaging from responsible sources
FSC® C022756



TERRACYCLE®

This paper has been certified to meet the environmental and social standards of the Forest Stewardship Council®.

We have teamed up with TerraCycle® to help keep beauty products out of landfills! Join a Beauty Brigade® and help us create a cleaner, greener future. Sign up at garnierusa.com/green

This Garnier carton is recyclable. Take Care. Please recycle.



2 03084 25666 6

FRUIT OIL CONCENTRATE:
1028640 PARAFFINUM LIQUIDUM/MINERAL OIL/HUILE MINERALE, VITIS VINIFERA SEED OIL/GRAPE SEED OIL, PARFUM/FRAGRANCE, TOCOPHEROL, ROSMARINUS OFFICINALIS (ROSEMARY) EXTRACT, F.I.L. # D25829/5

RINSE-OUT CONDITIONER:
1100558 AQUA/WATER/EAU, CETEARYL ALCOHOL, ELAIS GUINEENSIS OIL/PALM OIL, BEHENTRIMONIUM CHLORIDE, PYRUS MALUS EXTRACT/APPLE FRUIT EXTRACT, GLYCERIN, PARFUM/FRAGRANCE, ISOPROPYL ALCOHOL, STEARAMIDOPROPYL DIMETHYLAMINE, NIACINAMIDE, PYRIDOXINE HCL, BUTYROSPERMA PARKII BUTTER/SHEA BUTTER, CITRIC ACID, OLEA EUROPAEA OIL/OLIVE FRUIT OIL, SACCCHARUM OFFICINARUM EXTRACT/SUGAR CANE EXTRACT/EXTRAIT DE CANNE A SUCRE, BENZYL ALCOHOL, CHLORHEXIDINE DIHYDROCHLORIDE, PERSEA GRATISSIMA OIL/AVOCADO OIL, RIBES NIGRUM OIL/BLACK CURRANT SEED OIL, LINALOOL, PHENOXYETHANOL, CITRUS MEDICA LIMONUM PEEL EXTRACT/LEMON PEEL EXTRACT, CI 19140/YELLOW 6, CAMELLIA SINENSIS LEAF EXTRACT, CI 15985/YELLOW 5, TOCOPHEROL, GLYCINE SOJA OIL/SOYBEAN OIL, F.I.L. # D174455/3

DEVELOPER:
4379471 U AQUA/WATER/EAU, HYDROGEN PEROXIDE, CETEARYL ALCOHOL, TRIDECETH-2 CARBOXYAMIDE MEA, CETARETH-25, GLYCERIN, PENTASODIUM PENTETATE, SODIUM STANNATE, TETRASODIUM PYROPHOSPHATE, PHOSPHORIC ACID, F.I.L. # D17859/23

BL 21
BLUE BLACK
NEGRO AZULADO

We recommend coloring every 4-6 weeks

month day year
Clip and save your shade



BOLD, ULTRA VIBRANT BLACK WITH VIVID REFLECTS

FIND YOUR HAIRCOLOR RESULT

Your natural haircolor is: Your NUTRISSE ULTRA COLOR result will be:

Light Brown

Medium to Dark Brown

Darkest Brown to Black



Not recommended for bleached, highlighted, or predominantly gray hair.

FIND YOUR PERFECT SHADE
VISIT GARNIERUSA.COM/SHADESELECTOR

 **the SHADE SELECTOR**
by GARNIER®

GARNIER®



4164653

4

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION

PAMELA JOHNSON,

Plaintiff,

v.

L'ORÉAL USA S/D, INC., GARNIER LLC,
and WALGREEN CO.,

Defendants.

§
§
§
§
§
§
§

CASE No. MO:19-CV-00155-DC

PLAINTIFF'S RESPONSES TO DEFENDANTS' SECOND REQUESTS FOR PRODUCTION

TO: L'OREAL USA S/D, INC., GARNIER LLC, AND WALGREEN CO., Defendants, by and through Defendants' attorneys of record, Jeffrey R. Lilly and J. Andrew Hutton, GORDON REES SCULLY MANSUKHANI, LLP, 816 Congress Ave., Suite 1510, Austin, Texas 78701.

Pursuant to *Federal Rules of Civil Procedure*, Plaintiff makes the following *Responses to Defendants' Second Requests for Production*. These responses are subject to objections with regard to relevancy, admissibility, and without waiving such objections.

Respectfully submitted,

AMBLERLAW, PLLC
511 N. Lincoln Avenue
Odessa, Texas 79761
P: 432.203.0303 | F: 888.692.3331

By: 

Rachel Ambler
State Bar No. 24081954
Rachel@RachelAmbler.com
eFiling & Court Only: *eFile@RachelAmbler.com*
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I certify a true copy of the above was served on each attorney of record or party in accordance with Rules on July 2, 2020.



Rachel Ambler
Attorneys for Plaintiff

RESERVATION OF RIGHTS

1. Plaintiff reserves the right to supplement this designation with additional designations of experts within the time limits imposed by the Court or by agreement of the parties, or pursuant to the *Federal Rules of Civil Procedure* and/or the *Federal Rules of Civil Evidence*.
2. Plaintiff reserves the right to elicit, by way of cross-examination, opinion testimony from experts designated and called by other parties to the suit, and express their intention to call, as witnesses associated with adverse parties, any of Defendant's or Plaintiff's experts.
3. Plaintiff reserves the right to call undesignated rebuttal expert witnesses, whose testimony cannot reasonably be foreseen until the presentation of the evidence in this trial.
4. Plaintiff reserves the right to withdraw the designation of any expert and to aver positively that any such previously designated expert will not be called as a witness at trial, and to re-designate same as a consulting expert, who cannot be called by opposing counsel.
5. Plaintiff reserves the right to elicit any expert opinion or lay opinion testimony at the time of trial that would be truthful, that would be of benefit to the jury to determine material issues of fact, and that would not violate any existing Court Order or the *Federal Rules of Civil Procedure*.
6. Plaintiff designates, as adverse parties, potentially adverse parties, and as witnesses associated with adverse parties, all parties to this suit and all experts designated by any party to this suit, even if the designating party is not a party to the suit at the time of trial, because Plaintiff does not agree to be bound by their testimony. In the event a present or future party designates an expert but then is dismissed for any reason from the suit or fails to call any designated expert, Plaintiff reserves the right to designate and call any such party or any such experts previously designated by any party.
7. Plaintiff reserves whatever additional rights that Plaintiff might have with regard to experts, pursuant to the *Federal Rules of Civil Procedure*, the *Federal Rules of Civil Evidence*, the case law construing same, and the rulings of the trial court.
8. Plaintiff reserves the right to supplement these answers.

CONDITIONS OF RESPONSES

1. Subject to the foregoing objection, and without waiving same, responsive non-privileged documents, if any, will be made available for inspection and copying at AMBLERLAW, 511 N. Lincoln Avenue, Odessa, Texas 79761.
2. Unless otherwise indicated, the term "Plaintiff" means Plaintiff **PAMELA JOHNSON** and the term "Defendants" mean **L'OREAL USA S/D, INC., GARNIER LLC, AND WALGREEN CO.**
3. Plaintiff's responses are based on Plaintiff's present knowledge after a reasonable investigation and on Plaintiff's interpretation and construction of the request.
4. Plaintiff reserves the right to redact any portions of otherwise responsive and non-privileged documents that contain irrelevant, nonresponsive, or privileged information.
5. Plaintiff will supplement responses when, if, and as required by the *Federal Rules of Civil Procedure*.

RESPONSES

REQUEST FOR PRODUCTION NO. 29: Please produce true and correct copies of all boxes, packaging, containers, labeling, package inserts, and instructions that came with the Garnier Nutrisse Ultra Color BL 21 hair coloring product you purchased from Walgreens on July 26, 2017.

RESPONSE: Please see the attached CD bates labeled Plaintiff's 0207.

REQUEST FOR PRODUCTION NO. 30: Please produce all photographs, digital images, and recordings of the injuries you allege resulted from the subject incident. Pursuant to Federal Rule of Civil Procedure 34(b), please produce responsive documents in their original digital file format (e.g., .jpg, .tif, .png, or raw image files), and in their original file size and resolution, with all associated metadata.

RESPONSE: Please see the attached CD bates labeled Plaintiff's 0207.

GARNIER
NUTRISSE
ULTRA COLOR

SAME GREAT SHADE
NEW MODEL

Before

After

BL21

BLUE
BLACK
NEGRO
AZULADO

HAIRCOLOR CAN CAUSE AN ALLERGIC REACTION
IMPORTANT: FOLLOW THE USAGE ADVISORY

GARNIER

BL21

BLUE
BLACK

NEW LOOK
SAME GREAT
FORMULA

NUTRISSE[®]
ULTRA COLOR

Nourishing Color Creme
ULTRA BOLD BLACK

Triple Nourishment: Avocado, Olive & Shea Oils

- Ultra Vibrant with Vivid Reflects
- Ultra Long-Lasting

PERMANENT HAIRCOLOR - ONE APPLICATION



TRY
GARNIER
FRUCTIS
COLOR SHIELD
To Help Maintain
Color Vibrancy

USAGE ADVISORY-SAFETY WARNINGS

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- **DO NOT USE IF:**
 - YOU HAVE ALREADY HAD A REACTION TO A HAIRCOLOR PRODUCT.
 - YOU HAVE A SENSITIVE, ITCHY OR DAMAGED SCALP.
- IF YOU HAVE A TATTOO, THE RISKS OF AN ALLERGIC REACTION MAY BE INCREASED.
- PERFORM A SKIN ALLERGY TEST 48 HOURS BEFORE EACH USE OF THIS PRODUCT (SEE INSERT). REMEMBER TO BUY YOUR PRODUCT 2 DAYS AHEAD OF TIME.
- AVOID CONTACT OF THIS PRODUCT WITH EYES AND SKIN.
- IF PRODUCT GETS INTO EYES, RINSE IMMEDIATELY.
- WEAR GLOVES PROVIDED IN KIT.
- THOROUGHLY RINSE HAIR AFTER APPLICATION.
- DO NOT USE OVER COMPOUND HENNA OR PROGRESSIVE COLOR.
- WAIT AT LEAST 14 DAYS AFTER BLEACHING, RELAXING OR PERMING BEFORE COLORING.
- KEEP PRODUCT OUT OF THE REACH OF CHILDREN. DO NOT APPLY ON CHILDREN.

CAUTION: THIS PRODUCT CONTAINS INGREDIENTS WHICH MAY CAUSE SKIN IRRITATION ON CERTAIN INDIVIDUALS AND A PRELIMINARY TEST ACCORDING TO ACCOMPANYING DIRECTIONS SHOULD FIRST BE MADE. THIS PRODUCT MUST NOT BE USED FOR DYEING THE EYELASHES OR EYEBROWS; TO DO SO MAY CAUSE BLINDNESS.

IMPORTANTE: LOS TINTES DE CABELLO PUEDEN CAUSAR UNA REACCIÓN ALÉRGICA QUE, EN CIERTOS CASOS RAROS, PODRÍA SER SERIA. POR LO TANTO, ES NECESARIO QUE SIGA ESTAS PRECAUCIONES:

- **NO LO USE SI:**
 - EN OTRA OCASIÓN TUVO UNA REACCIÓN A UN PRODUCTO PARA TEÑIR EL CABELLO.
 - SU CUERO CABELLUDO ES SENSIBLE, SUFRE DE PICAZÓN O ESTÁ LASTIMADO.
- SI TIENE UN TATUAJE, EL RIESGO DE UNA REACCIÓN ALÉRGICA PUEDE AUMENTAR.
- CADA VEZ QUE VAYA A USAR ESTE PRODUCTO DEBE HACERSE UNA PRUEBA DE ALERGIA CUTÁNEA 48 HORAS ANTES (LEA LAS INSTRUCCIONES). RECUERDE COMPRAR EL PRODUCTO CON DOS DÍAS DE ANTELACIÓN.

- EVITE EL CONTACTO DE ESTE PRODUCTO CON LOS OJOS Y LA PIEL.
- SI EL PRODUCTO CAE EN SUS OJOS, ENJUÁGUELOS INMEDIATAMENTE.
- USE LOS GUANTES QUE VIENE EN EL KIT.
- ENJUAGUE BIEN EL CABELLO DESPUÉS DE LA APLICACIÓN.
- NO LO USE SOBRE COMPUUESTO DE ALHENA (HENNA) O COLOR PROGRESIVO.
- ESPERE POR LO MENOS 14 DÍAS PARA TEÑIRSE EL CABELLO DESPUÉS DE HACERSE UN TRATAMIENTO DE PERMANENTE, ALISADO O DECOLORACIÓN.
- MANTENGA ESTE PRODUCTO FUERA DEL ALCANCE DE LOS NIÑOS. NO SE LO APLIQUE A UN NIÑO.

PRECAUCIÓN: ESTE PRODUCTO CONTIENE INGREDIENTES QUE PODRÍAN CAUSAR IRRITACIÓN EN LA PIEL DE ALGUNAS PERSONAS. DEBIDO A ESTO SE RECOMIENDA HACER PRIMERO UNA PRUEBA SIGUIENDO LAS INSTRUCCIONES ADJUNTAS. ESTE PRODUCTO NO DEBE USARSE PARA TEÑIR LAS PESTAÑAS O LAS CEJAS YA QUE PODRÍA CAUSAR CEGUERA.

READ AND FOLLOW THE INSERT

INGREDIENTS:

COLORANT:

1053057 AQUA/WATER/EAU, CETEARYL ALCOHOL, PROPYLENE GLYCOL, DECETH-3, LAURETH-12, AMMONIUM HYDROXIDE, OLETH-30, LAURIC ACID, HEXADIMETHRINE CHLORIDE, GLYCOL DISTEARATE, POLYQUATERNIUM-22, 2,4-DIAMINOPHENOXYETHANOL HCl, ETHANOLAMINE, SILICA, DIMETHYL SILYLATE, PARFUM/FRAGRANCE, TOLUENE-2,5-DIAMINE, PENTASODIUM PENTETATE, SODIUM METABISULFITE, CARBOMER, ASCORBIC ACID, RESORCINOL, VITIS VINIFERA SEED OIL/GRAPE SEED OIL, CI 77891/TITANIUM DIOXIDE, N,N-BIS(2-HYDROXYETHYL)-p-PHENYLENEDIAMINE SULFATE, THIOGLYCERIN, DIMETHICONE, TOCOPHEROL, HELIANTHUS ANNUUS SEED OIL/SUNFLOWER SEED OIL, ROSMARINUS OFFICINALIS (ROSEMARY) EXTRACT. F.I.L.# D26169/13 U.S. PATENT: 5,690,696

Ingredients continued on the bottom.

Store between 50° and 80° F.

Se incluyen instrucciones en español.
Léelas con atención.

Questions? Garnier Nutrisse has expert color consultants to help you.

Call: 1-800-4GARNIER (1-800-442-7643)
or visit www.garnierusa.com

GARNIER LLC, NEW YORK, NY 10001
MADE IN MEXICO

GARNIER[®] NUTRISSE[®] ULTRA COLOR

NOURISHED

Nutrisse is the only color cream with a grapeseed oil ampoule. Nutrisse lets you nourish hair while you color.

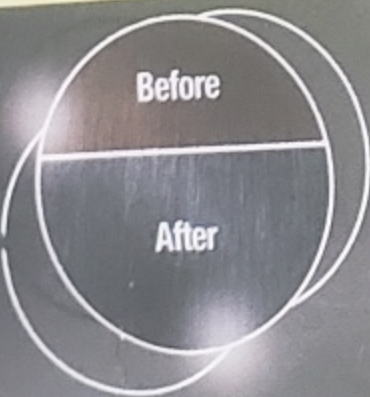


Non-drip creme formula spreads easy and smells great!

Lock in moisture with our creamy after-color conditioner infused with avocado, olive, and shea oils. It keeps hair soft, silky, and nourished.

BOLDER COLOR

Take your color to the next level with intensity-enhancing reflects that deliver ultra vivid transformation for the boldest you.



ULTRA COLOR BLACKS

All brunettes can achieve ultra bold black reflects for high-impact color in just one step.

GARNIER[®] CARES



This paper has been certified to meet the environmental and social standards of the Forest Stewardship Council.



We have teamed up with TerraCycle[®] to help keep beauty products out of landfills! Join a Beauty Brigade[®] and help us create a cleaner, greener future. Sign up at garnierusa.com/green

This Garnier carton is recyclable. Take Care. Please recycle.



FRUIT OIL CONCENTRATE:
1028840 PARAFFINUM LIQUIDUM/MINERAL OIL/HUILE MINERALE, VITIS VINIFERA SEED OIL/GRAPE SEED OIL, PARFUM/FRAGRANCE, TOCOPHEROL, ROSMARINUS OFFICINALIS (ROSEMARY) EXTRACT. F.I.L.# D25829/5

RINSE-OUT CONDITIONER:
1100858 AQUA/WATER/EAU, CETEARYL ALCOHOL, ELAEIS GUINEENSIS OIL/PALM OIL, BEHENTRIMONIUM CHLORIDE, PYRUS MALUS EXTRACT/APPLE FRUIT EXTRACT, GLYCERIN, PARFUM/FRAGRANCE, ISOPROPYL ALCOHOL, STEARAMIDOPROPYL DIMETHYLAMINE, NIACINAMIDE, PYRIDOXINE HCl, BUTYROSPERMUM PARKII BUTTER/SHEA BUTTER, CITRIC ACID, OLEA EUROPAEA OIL/OLIVE FRUIT OIL, SACCHARUM OFFICINARUM EXTRACT/SUGAR CANE EXTRACT/EXTRAIT DE CANNE A SUCRE, BENZYL ALCOHOL, CHLORHEXIDINE DIHYDROCHLORIDE, PERSEA GRATISSIMA OIL/AVOCADO OIL, RIBES NIGRUM OIL/BLACK CURRANT SEED OIL, LINALOOL, PHENOXYETHANOL, CITRUS MEDICA LIMONUM PEEL EXTRACT/LEMON PEEL EXTRACT, CI 19140/YELLOW 5, CAMELLIA SINENSIS LEAF EXTRACT, CI 15985/YELLOW 6, TOCOPHEROL, GLYCINE SOJA OIL/SOYBEAN OIL. F.I.L.# D174455/3

DEVELOPER:
437047 U AQUA/WATER/EAU, HYDROGEN PEROXIDE, CETEARYL ALCOHOL, TRIDECETH-2 CARBOXYAMIDE MEA, CETEARETH-25, GLYCERIN, PENTASODIUM PENTETATE, SODIUM STANNATE, TETRASODIUM PYROPHOSPHATE, PHOSPHORIC ACID. F.I.L.# D12859/23

BL 21
BLUE
BLACK
NEGRO AZULADO



GARNIER[®] NUTRISSE[®] ULTRA COLOR

BOLD, ULTRA VIBRANT BLACK WITH VIVID REFLECTS

FIND YOUR HAIRCOLOR RESULT

Your **natural** haircolor is:

Your **NUTRISSE ULTRA COLOR** result will be:

Light Brown

Medium to Dark Brown

Darkest Brown to Black

Not recommended for bleached, highlighted, or predominantly gray hair.

FIND YOUR PERFECT SHADE
VISIT GARNIERUSA.COM/SHADESELECTOR



4164653
2

GARNIER® NUTRISSE®

NOURISHING COLOR CREME

ULTRA COLOR BLACKS, BURGUNDIES, AND REDS

Before using this product, you must read all Usage Advisory-Safety Warnings and follow application instructions carefully.

USAGE ADVISORY- SAFETY WARNINGS (READ BEFORE COLORING)

SKIN ALLERGY TEST: TO BE PERFORMED 48 HOURS BEFORE EACH USE OF THIS PRODUCT, EVEN IF YOU HAVE ALREADY USED THIS OR ANOTHER HAIRCOLOR PRODUCT.

SKIN ALLERGY TEST

IMPORTANT: THIS PRODUCT CAN CAUSE AN ALLERGIC REACTION, WHICH, IN CERTAIN RARE CASES, CAN BE SEVERE. TO HELP MINIMIZE THE RISK OF AN ALLERGIC REACTION, YOU MUST FOLLOW THESE PRECAUTIONS.

DO NOT USE IF:

- You have already had a reaction to a haircolor product.
- You have a sensitive, itchy or damaged scalp.

If you have a tattoo, the risk of an allergic reaction may be increased.

PERFORM A SKIN ALLERGY TEST 48 HOURS BEFORE EACH USE OF THIS PRODUCT, AS ALLERGIES CAN DEVELOP SUDDENLY, EVEN IF YOU HAVE PREVIOUSLY USED A HAIRCOLOR PRODUCT FROM THIS BRAND OR ANOTHER.

SKIN ALLERGY TEST INSTRUCTIONS:

- Clean an area the size of a quarter in the bend of your elbow with soap and water. Pat dry.
- Pierce the Nourishing Color Creme tube (B) using the pointed tip of its cap. Do not squeeze or put pressure on color cream tube until you have pierced the tube opening completely.

HELPFUL HINTS

- Apply a small amount of the Nourishing Conditioner to hairline, ears, and back of neck to prevent possible staining.
- Apply to dry, detangled hair.
- To keep hair color vibrant, do not shampoo your hair until the day after coloring.

STEP 1:

Easy Preparation & Mix Color

STEP 2:

Start To Color

Thank you for choosing GARNIER NUTRISSE®.
The only permanent haircolor with a separate ampoule of grape seed oil so you can start nourishing while you color. Our Nourishing Conditioner with Avocado, Olive & Shea Oils keeps your long-lasting color silkier and shinier than before.
Questions? Talk to your Nutrisse consultant toll free from anywhere in the continental US. 1-800-442-7643. Or visit www.garnierUSA.com to view our easy how-to application videos.

- Using a plastic utensil, mix a dab of Nourishing Color Creme (B) with a few drops of the Nourishing Creme Developer (A) (the ratio should be 1 part Color Creme to 1½ parts Developer) in a plastic or glass container. Tightly recap the haircolor product and Developer. Do not use metal utensils.
- Apply mixture to the test area with a cotton swab or ball.
- Let test spot dry. Do not wash, cover or disturb for 48 hours.
- Examine test area periodically over the next 48 hours. If you experience any reactions – such as redness, burning, itching, swelling, skin abrasions, eruptions or irritation in or around the test area, DO NOT COLOR YOUR HAIR UNTIL YOU CONSULT A DOCTOR.

IMPORTANT WARNINGS

- IN CASE OF A REACTION WHILE COLORING HAIR, such as stinging, rash or burning sensation on scalp, rinse immediately and discontinue use. IF YOU EXPERIENCE DIFFICULTY BREATHING, TIGHTNESS OF CHEST AND/OR HIVES OR SWELLING AT ANY PLACE ON THE BODY, DISCONTINUE USE AND OBTAIN MEDICAL ASSISTANCE IMMEDIATELY. BEFORE COLORING AGAIN, CONSULT A DOCTOR.
- IN RARE CASES, THE USE OF HAIR COLORANTS HAS BEEN ASSOCIATED WITH SKIN DEPIGMENTATION (SKIN WHITENING OR LOSS OF COLOR). THIS MAY BE TEMPORARY OR PERMANENT. IF YOU NOTICE ANY SKIN DEPIGMENTATION OR ALLERGIC REACTION SUCH AS PAIN OR SEVERE ITCHING, DISCONTINUE USE IMMEDIATELY.
- Avoid contact with skin and eyes. Do not use to color eyelashes or eyebrows. To do so may cause blindness.
- If product gets into eyes, rinse immediately. If you are wearing contact lenses, remove them before rinsing eyes. Call a doctor if irritation persists.

- Wear gloves provided in kit.
- Thoroughly rinse hair after application.
- For any questions relating to your individual sensitivities or specific allergies, consult a doctor.
- Do not use on facial or body hair or for any purposes other than coloring your hair. Irritation or injury could occur.
- Do not use on relaxed hair.
- Wait at least 14 days after bleaching or perming before coloring.
- Do not use over compound henna or progressive color.
- Do not inhale or ingest. Prepare and use in a well-ventilated area. If swallowed, call a doctor, hospital emergency room, or poison control center immediately.
- Keep product out of reach of children. Do not apply on children.

FOLLOW THE APPLICATION INSTRUCTIONS.

STRAND TEST

BEFORE YOU COLOR DO A STRAND TEST TO PREVIEW YOUR COLOR RESULTS.

- Snip a strand of hair ¼" wide and tape at one end. Put gloves on.
- Using a plastic teaspoon, mix 1 teaspoon of Nourishing Color Creme (B) with 1½ teaspoons of the Nourishing Creme Developer (A) in a plastic or glass container. Recap both containers tightly.
- Place hair strand into color mixture.
- Leave in mixture for 25 minutes.
- Rinse and dry to preview your color results.

3932475

Easy Preparation & Mix Color

1 GET READY

- Put on the gloves and twist off the Applicator tip of the Nourishing Creme Developer bottle (A) and remove cap from bottle.

2 PREPARATION

- Squeeze out the entire contents of the Nourishing Color Creme tube (B) into the Nourishing Creme Developer bottle (A). Do not point either end of the tube towards face while opening or using.

CAUTION: Do not squeeze or put pressure on Nourishing Color Creme tube (B) until you have pierced the tube opening completely. Do not point either end of tube towards face while opening or using. Use care in working with tube contents. Contact between contents and eyes may cause blindness. Never leave the tip of the applicator bottle unopened after mixing. The container may burst.

3 COMBINE INGREDIENTS

- Snap open the Fruit Oil Concentrate (C) and pour entire contents into Developer bottle.

4 MIX & APPLY

- Replace Applicator tip on Nourishing Creme Developer bottle (A) and close tightly. Place your gloved finger over open tip and shake well to mix contents. Be sure to shake away from your face and body.
- Immediately apply color mixture to hair by following the application instructions in Step 2.



NOURISHING CREME DEVELOPER NOURISHING COLOR CREME FRUIT OIL CONCENTRATE NOURISHING CONDITIONER WITH AVOCADO, OLIVE & SHEA OILS

With easy-fit, PVC-free gloves.

FULL HEAD APPLICATION

IF YOU:

- Have never colored your hair.
- Want to change current haircolor to something darker.
- Have not colored in 3 months or longer.
- *Not recommended for bleached, highlighted, or predominantly gray hair.**

1 APPLY ON DRY, DETANGLED, UNWASHED HAIR

- Make ¼ inch parts throughout hair with the Applicator tip (A) and apply mixture to roots first before spreading through midlengths and ends until hair is saturated.
- When using haircolor to lighten, first apply where your hair is darkest.
- Work gently through hair to provide best saturation.

2 TIMING

- After you are finished applying, begin timing.
- Leave color on for **25 minutes**. Do not save any unused mixture, the container may burst.

PLEASE KEEP IN MIND WHILE APPLYING:

- Do not over-massage your scalp.
- The mixture may change color (become darker, more vibrant) when on your head; it is NOT indicative of the color results.
- Use enough mixture to saturate your hair. Discard any unused mixture.
- If any mixture gets on your skin, dip a damp towel in shampoo and gently remove before continuing.

3 RINSE

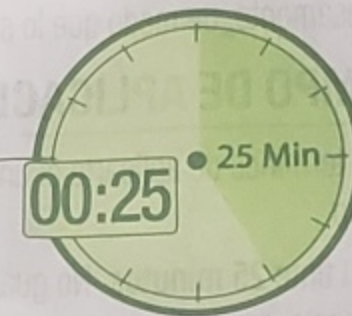
- When time is up, add a small amount of warm water to hair and work color mixture into a lather.
- Rinse hair thoroughly until water runs clear.

4 CONDITION

- Apply Nourishing Conditioner with Avocado, Olive & Shea Oils (D) to hair.
- Leave in hair for 2 minutes.
- Rinse hair thoroughly. Towel dry hair and style as usual.
- Use Nourishing Conditioner with Avocado, Olive & Shea Oils (D) weekly to protect hair.

FULL HEAD APPLICATION

APPLY



TOTAL TIME
00:25

RINSE & CONDITION



TOUCH-UP APPLICATION

IF YOU:

- Want to re-do roots.
- Have used Ultra Color Collections: Black, Reds, or Burgundies, or similar intense shades.
- *Not recommended for bleached, highlighted, or predominantly gray hair.**

1 APPLY ON DRY, DETANGLED, UNWASHED HAIR

- Make ¼ inch parts throughout hair with the Applicator tip (A) and spread color mixture evenly on **new growth of roots**, section by section. Use enough mixture to saturate the root area.

2 TIMING

- After you are finished applying, begin timing.
- Leave color on **roots for 20 minutes**.
- After 20 minutes, work remaining mixture gently through **hair length and ends** to refresh color. Leave color on for **additional 5 minutes**. Total development time: **25 minutes**. If your ends are significantly lighter, leave on for **up to 10 minutes** for a total development time of **30 minutes**. Do not save any unused mixture, the container may burst.

PLEASE KEEP IN MIND WHILE APPLYING:

- Do not over-massage your scalp.
- The mixture may change color (become darker, more vibrant) when on your head; it is NOT indicative of the color results.
- Use enough of the mixture to saturate your hair. Discard any unused mixture.
- If any mixture gets on your skin, dip a damp towel in shampoo and gently remove before continuing.

3 RINSE

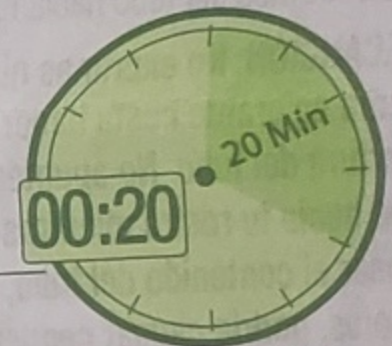
- When time is up, add a small amount of warm water to hair and work color mixture into a lather.
- Rinse hair thoroughly until water runs clear.

4 CONDITION

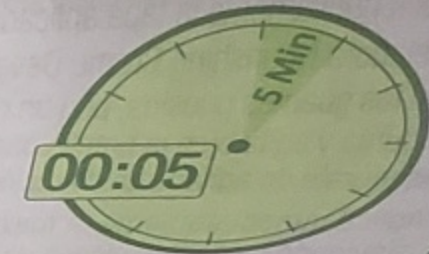
- Apply Nourishing Conditioner with Avocado, Olive & Shea Oils (D) to hair.
- Leave in hair for 2 minutes.
- Rinse hair thoroughly. Towel dry hair and style as usual.
- Use Nourishing Conditioner with Avocado, Olive & Shea Oils (D) weekly to protect hair.

TOUCH-UP APPLICATION

APPLY TO ROOTS



APPLY TO LENGTHS & ENDS



TOTAL TIME
00:25

RINSE & CONDITION



PRINTED IN MEXICO. GLOVES MADE IN CHINA.

CHRISTELL JOHNSON

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION

PAMELA JOHNSON,)	
)	
Plaintiff,)	
)	
VS.)	CIVIL ACTION
)	
L'ORÉAL USA S/D, INC.;)	NO.: 7:19-CV-00155-DC
GARNIER LLC; AND WALGREEN)	
CO.,)	
)	
Defendants.)	

ORAL DEPOSITION OF
CHRISTELL JOHNSON
FEBRUARY 14, 2020
VOLUME 1 OF 1

ORAL DEPOSITION OF CHRISTELL JOHNSON, produced as a witness at the instance of the DEFENDANTS, and duly sworn, was taken in the above-styled and numbered cause on February 14, 2020, from 9:26 a.m. to 10:41 a.m., before Jordana Hodges, CSR in and for the State of Texas, reported by machine shorthand, at the offices of Permian Court Reporters, 509 N. Grant Avenue, Odessa, Texas, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record or attached hereto.

PERMIAN COURT REPORTERS, INC.
(432) 683-3032*(432) 683-5324 (FAX)

CHRISTELL JOHNSON

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A P P E A R A N C E S

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ALSO PRESENT:
Pamela Johnson, Plaintiff

CHRISTELL JOHNSON

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CHRISTELL JOHNSON

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1 down. I'd first open the box and pull the instructions
2 out. I look at the instructions. Get the gloves. I
3 always use the gloves. Make sure there's no changes in
4 it because sometimes they will -- in the kits, they will
5 put a -- what do you call it? Like a -- basically like
6 to protect the hair. And make sure there's no changes.

7 And I would comb her hair, part it in
8 sections and we would go on past that, like, apply one
9 section, do that, go to the next section, next section,
10 next section. And then we look at the time. I tell her
11 what time it is, and then we'll, you know, go from
12 there.

13 Q. Okay. Do you ever do what's called a patch
14 test or a skin test before you color her hair?

15 A. No, sir.

16 Q. Have you ever, since 1994, done that test?

17 A. No, sir.

18 Q. Have you ever -- has there been any times that
19 you've colored her hair where you've seen or she's told
20 you about any kind of skin reaction she had as a result
21 of coloring her hair or that she thought was a as a
22 result of coloring her hair?

23 A. No, sir.

24 Q. And that would be itching, rash, swelling, any
25 of those things, you never saw?

CHRISTELL JOHNSON

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1 used in July 2017?

2 A. What do you mean?

3 Q. Did you keep it?

4 A. No.

5 Q. Do you know what happened to it?

6 A. We threw it away, I believe.

7 Q. Okay. I will -- to make it easier on the court
8 reporter -- I did, I will represent to you, make some
9 Xerox copies of the box. And I will let you see both of
10 these.

11 MR. HUTTON: Here you go, Rachel.

12 Q. (BY MR. HUTTON) And I will give you the box as
13 well. Oh, actually, let me have that back for one
14 second.

15 A. Okay.

16 Q. Let me mark it.

17 (Exhibit No. 1 marked.)

18 Q. (BY MR. HUTTON) Okay. Ms. Johnson, I'm
19 handing you what I've marked as Exhibit 1. And can you
20 tell me what that looks like?

21 A. Garnier Nutrisse ultra color box that my mom
22 uses.

23 Q. And I will tell you, again, just represent to
24 you that that box should be -- that is a Xerox of that
25 box, but you're free to look and compare them. But does

CHRISTELL JOHNSON

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1 it look like the same thing?

2 A. Yes, sir.

3 Q. Now, there's a lot of words on that box. Did
4 you ever read the words on that?

5 A. You mean, like the fine print right here
6 (indicating)?

7 Q. Anything, yeah.

8 A. No.

9 Q. Do you remember reading that side panel -- I
10 think you called it the fine print -- the one that
11 says, "Usage Advisory-Safety Warnings"?

12 A. No.

13 Q. You don't ever remember reading that?

14 A. No.

15 Q. Okay. Now, let's see. If you'll open up the
16 box, it should have -- my understanding is it's got
17 about five or six things in there. You can pull them
18 out.

19 A. Okay.

20 Q. I think there's one more with the package
21 insert.

22 A. Yes.

23 Q. So I think what we've got there is the package
24 insert --

25 A. Yes.

CHRISTELL JOHNSON

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1 Q. -- a bottle of developer, a tube of cream?

2 A. Correct.

3 Q. A little plastic fruit oil or something; is
4 that right?

5 A. It's kind of like a hair protector.

6 Q. Okay. And then what's that last little bottle?

7 A. Conditioner.

8 Q. Conditioner. Okay. And are those the things
9 that come in the box that you've used to color your
10 mom's hair?

11 A. Yes.

12 Q. Okay. So you indicated that you -- as a matter
13 of routine, I think, when you colored your mom's hair,
14 that you would look over the instructions to see if
15 anything changed; is that right?

16 A. Correct.

17 MS. AMBLER: Excuse me, when were these
18 boxes of hair dye that you provided as demonstratives
19 purchased?

20 MR. HUTTON: Early 2017.

21 MS. AMBLER: Thank you.

22 MR. HUTTON: They are from lots that were
23 manufactured in early 2017.

24 MS. AMBLER: Thank you. That's actually a
25 better answer, I suppose.

CHRISTELL JOHNSON

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1 (Exhibit No. 2 marked.)

2 Q. (BY MR. HUTTON) Okay. Ms. Johnson, I'm
3 handing you -- I just marked the package insert that you
4 pulled out of that box as Exhibit 2. And does that look
5 familiar?

6 A. Yes.

7 Q. Did you ever -- I know you indicated you read
8 the instructions. And I assume when you said the
9 instructions, you mean how to prepare, mix, and use the
10 hair coloring; is that right?

11 A. Yes.

12 Q. And I should note that there are two sides to
13 this set of instructions. One is -- looks like it's in
14 English and the other is in Spanish. Could I just mark
15 Exhibit 2 on the Spanish side?

16 A. Yes.

17 Q. Do you speak Spanish?

18 A. No, sir.

19 Q. Okay. I don't either. Let's both focus on the
20 English side.

21 A. Okay.

22 Q. Did you ever -- do you recall ever reading the
23 section that is labeled, "Usage Advisory-Safety
24 Warnings"?

25 A. No.

CHRISTELL JOHNSON

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1 Q. You don't remember reading that?

2 A. No.

3 Q. Do you remember reading it before you colored
4 her hair in July of 2017?

5 A. No.

6 Q. Okay. And before you colored her hair in July
7 of 2017, you didn't conduct the skin test or the patch
8 test that is described in these instructions, correct?

9 A. No, sir.

10 Q. Okay. Did you do what's called the strand
11 test?

12 A. No, sir.

13 Q. Okay. So walk me through what you would have
14 done on -- do you remember the day that you colored her
15 hair in July of 2017, the particular day?

16 A. I don't.

17 Q. I'll represent to you I think, based on the
18 discovery responses and the complaint in this case that
19 it was July 8th, 2017; does that sound correct?

20 A. Somewhere in there.

21 Q. Okay. Can you -- first of all, where did you
22 color her hair that day?

23 A. At home, in the living room.

24 Q. In the living room?

25 A. Yes, sir.

CHRISTELL JOHNSON

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1 A. No.

2 Q. Who had the better knowledge that that could
3 happen, do you think?

4 MR. HUTTON: Objection, form.

5 A. L'Oréal and Garnier.

6 MS. AMBLER: I pass the witness.

7 FURTHER EXAMINATION

8 BY MR. HUTTON:

9 Q. Okay. Briefly, Ms. Johnson, I'll keep the
10 deposition Exhibit No. 2 there in front of you. Do you
11 see under the Usage Advisory-Safety Warnings a section
12 that is in bold and all caps that says, "Skin allergy
13 test to be performed 48 hours before each use of this
14 product even if you have already used this or another
15 hair color product." Do you see that?

16 A. Yes.

17 Q. Did you read that before applying the hair
18 color to her hair?

19 A. No.

20 Q. And you already said you didn't conduct that
21 skin test, correct?

22 A. Correct.

23 Q. And then beneath that, it says, "Skin allergy
24 test, important, this product can cause an allergic
25 reaction, which in certain rare cases, can be severe.

CHRISTELL JOHNSON

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1 To help minimize the risk of an allergic reaction, you
2 must follow these precautions." Did I read that
3 correctly?

4 A. Correct.

5 Q. And again, we already talked about that you did
6 not conduct this skin allergy test as described in this
7 insert; is that right?

8 A. Yes.

9 Q. Okay. And if you could, go back to deposition
10 Exhibit 1, the -- that first page -- and I should say at
11 the bottom, this is what we call a Bates number. It
12 says L'Oréal-Johnson 0001. Do you see that?

13 A. Yes.

14 Q. Okay. And that's just to show that it's been
15 produced in this lawsuit.

16 A. Okay.

17 Q. But do you see under the box on the right side
18 of that first page where it says, "Usage Advisory-Safety
19 Warnings," Do you see that?

20 A. Yes.

21 Q. And beneath that, it says, "Important," in bold
22 and caps, "hair color can cause an allergic reaction,
23 which in certain rare cases, can be severe, therefore
24 you must follow these precautions." Did I read that
25 correctly?

CHRISTELL JOHNSON

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1 A. Yes.

2 Q. And the third bullet point beneath that, follow
3 along with me, if you would. "Perform a skin allergy
4 test," and then underlined, "48 hours," stop
5 underlining, "before each use of this product." And
6 then it says, "See insert. Remember to buy your product
7 two days ahead of time." Do you see that?

8 A. Yes.

9 Q. And I read that correctly?

10 A. Yes.

11 Q. And you didn't do that before coloring her hair
12 this time, correct?

13 A. What do you mean?

14 Q. The skin allergy test --

15 A. Correct.

16 Q. -- 48 hours before applying the hair color?

17 A. Correct.

18 Q. Is that right?

19 A. Yes.

20 Q. Okay. Do you remember reading these warnings
21 before coloring her hair in July of 2017?

22 A. No.

23 Q. Okay. And then on the top of the box -- and
24 you can see it on this deposition Exhibit 1, what would
25 be the flap, I think, on the box. I think you have to

CHRISTELL JOHNSON

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1 turn it over on our Xerox. Do you see where it
2 says, "Important: Follow the usage advisory skin
3 allergy test 48 hours before application." Do you see
4 that?

5 A. Yes.

6 Q. And again, you didn't do that before applying
7 the hair color in July of 2017, right?

8 A. Correct.

9 MR. HUTTON: I think that's all the
10 questions I have. Thank you again.

11 THE WITNESS: You're welcome.

12 MR. HUTTON: Are you done?

13 MS. AMBLER: That's all.

14 MR. HUTTON: Okay.

15 (End of proceedings.)
16
17
18
19
20
21
22
23
24
25

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION

Plaintiff,

CIVIL ACTION

NO. : 7:19-CV-00155-DC

Defendants.

REPORTER'S CERTIFICATION
DEPOSITION OF CHRISTELL JOHNSON
FEBRUARY 14, 2020

I, Jordana Hodges, Certified Shorthand Reporter in
and for the State of Texas, hereby certify to the
following:

That the witness, CHRISTELL JOHNSON, was duly sworn by the officer and that the transcript of the oral deposition is a true record of the testimony given by the witness;

That the original transcript was delivered to
MR. ANDREW HUTTON;

That a copy of this certificate was served on all parties and/or the witness shown herein on

That pursuant to information given to the deposition officer at the time said testimony was taken,

PERMIAN COURT REPORTERS, INC.
(432) 683-3032*(432) 683-5324 (FAX)

CHRISTELL JOHNSON

Page 68

1 the following includes all parties of record:

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8 888.692.3331 (fax)
9 rachel@rachelambler.com

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8 AND WALGREEN CO.:

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10 GORDON & REES
11 816 Congress Avenue
12 Suite 1510
13 Austin, Texas 78701
14 512.582.6478
15 512.391.0183 (fax)
16 ahutton@grsm.com

13 That the amount of time used by each party at the
14 deposition is as follows:

15 MR. HUTTON - 01 HOUR:01 MINUTE
16 MS. AMBLER - 00 HOURS:08 MINUTES

17 That \$_____ is the deposition officer's
18 charges to the Defendants for preparing the original
19 deposition transcript and any copies of exhibits;

20 I further certify that pursuant to FRCP Rule
21 30(e)(1), that the signature of the deponent:

22 xxx was requested by the deponent or a party
23 before the completion of the deposition, and that
24 signature is to be before any notary public and returned
25 within 30 days from date of receipt of the transcript;

CHRISTELL JOHNSON

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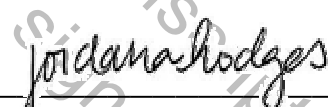
1 ___ was not requested by the deponent or a
2 party before the completion of the deposition.

3 If returned, the attached Changes and Signature
4 page contains any changes and the reasons therefor;

5 That \$ _____ is the deposition officer's
6 charges to the Plaintiff for preparing the original
7 deposition transcript and any copies of exhibits;

8 I further certify that I am neither counsel for,
9 related to, nor employed by any of the parties or
10 attorneys in the action in which this proceeding was
11 taken, and further that I am not financially or
12 otherwise interested in the outcome of the action.

13 Certified to by me this 6th day of
14 March, 2020.

15
16
17 
18 Jordana Hodges, Texas CSR # 8887
19 Expiration Date: 07/31/2021
20 Firm Registration No. 155
21 Permian Court Reporters
22 605 W. Texas Avenue
23 Midland, Texas 79701
24 432.683.3032
25



GARNIER® NUTRISSE® NOURISHING COLOR CREME

ULTRA COLOR BLACKS, BURGUNDIES, AND REDS

Antes de usar este producto, debes leer toda la sección de "Instrucciones de uso y advertencias de seguridad", y seguir las instrucciones de aplicación cuidadosamente.

Gracias por escoger GARNIER NUTRISSE Nourishing Color Creme, el único tinte permanente que incluye aparte una ampolla de aceite de semilla de uva para que empieces a nutrir tu cabello mientras lo tiñes. Nuestro acondicionador nutritivo, con aceites de aguacate, oliva y karité, mantiene tu color de larga duración más sedoso y más brillante que nunca. Cubre las canas al 100%.

¿Tienes alguna pregunta? Habla con tu consultor de Nutrisse sin cargos desde cualquier parte de los Estados Unidos continentales: 1-800-442-7643. O visita www.garnierUSA.com para ver videos sencillos sobre cómo hacer la aplicación.

INSTRUCCIONES DE USO Y ADVERTENCIAS DE SEGURIDAD (LÉELAS ANTES DE TEÑIRTE EL CABELLO):

PRUEBA DE ALERGIA CUTÁNEA: DEBES HACERLA 48 HORAS ANTES DE USAR ESTE PRODUCTO, INCLUSO SI YA HAS USADO ESTE U OTRO PRODUCTO PARA TEÑIR EL CABELLO.

PRUEBA DE ALERGIA CUTÁNEA

IMPORTANTE: ESTE PRODUCTO PUEDE CAUSAR UNA REACCIÓN ALÉRGICA QUE, EN CIERTOS CASOS RAROS, PUEDE SER GRAVE. PARA DISMINUIR EL RIESGO DE UNA REACCIÓN ALÉRGICA, DEBES SEGUIR ESTAS PRECAUCIONES:

NO LO USES SI:

- Ya has tenido una reacción a un producto para teñir el cabello.
- Tienes el cuero cabelludo sensible, lastimado o con picazón.

Si tienes un tatuaje, los riesgos de una reacción alérgica pueden aumentar.

CADA VEZ QUE VAYAS A USAR ESTE PRODUCTO, HAZTE UNA PRUEBA DE ALERGIA CUTÁNEA 48 HORAS ANTES, YA QUE LAS ALERGIAS PUEDEN DESARROLLARSE DE REPENTE, INCLUSO SI YA HAS USADO UN PRODUCTO PARA TEÑIR EL CABELLO, DE ESTA U OTRA MARCA.

INSTRUCCIONES PARA LA PRUEBA DE ALERGIA CUTÁNEA:

- Lava con agua y jabón un área del tamaño de una moneda de 25 centavos en el pliegue del codo. Seca el área sin frotarla.
- Perfora el tubo de la crema colorante Nourishing Color Creme (B) con el extremo puntiagudo de la tapa. No exprimas ni hagas presión en el tubo de la crema colorante hasta haber perforado completamente la abertura del tubo.

- Con un utensilio de plástico, mezcla en un envase de plástico o vidrio un poco de la crema colorante Nourishing Color Creme (B) con unas cuantas gotas de la crema reveladora Nourishing Creme Developer (A) (la proporción debe ser 1 parte de la crema colorante por 1 ½ partes de la crema reveladora). Cierra bien las tapas de la crema colorante y la crema reveladora. No uses utensilios de metal.
- Aplica la mezcla en el área de prueba con un hisopo o una bolita de algodón.
- Deja que se seque el área de prueba. No la laves, cubras ni toques por 48 horas.
- Examina el área de prueba periódicamente durante esas 48 horas. Si notas alguna reacción, como enrojecimiento, ardor, picazón, hinchazón, abrasiones en la piel, erupciones o irritación en o alrededor del área de prueba, NO TE TIÑAS EL CABELLO HASTA QUE LO HAYAS CONSULTADO CON UN MÉDICO.

ADVERTENCIAS IMPORTANTES

- EN CASO DE TENER UNA REACCIÓN MIENTRAS TE TIÑES EL CABELLO, como picazón, erupción o ardor en el cuero cabelludo, enjuágate inmediatamente y discontinúa el uso de este producto. SI TIENES DIFICULTAD AL RESPIRAR, EL PECHO APRETADO, Y/O ERUPCIONES O HINCHAZÓN EN CUALQUIER PARTE DEL CUERPO, DISCONTINÚA EL USO Y OBTÉN AYUDA MÉDICA INMEDIATAMENTE. ANTES DE VOLVER A TEÑIRTE EL CABELLO, CONSÚLTALO CON UN MÉDICO.
- EN CASOS RAROS, EL USO DE COLORANTES PARA EL CABELLO SE HA ASOCIADO CON LA DESPIGMENTACIÓN DE LA PIEL (BLANQUEO O PÉRDIDA DE COLOR DE LA PIEL). ESTO PUEDE SER TEMPORAL O PERMANENTE. SI NOTAS CUALQUIER DESPIGMENTACIÓN O REACCIÓN ALÉRGICA, COMO DOLOR O PICAZÓN GRAVE, DISCONTINÚA EL USO DE ESTE PRODUCTO INMEDIATAMENTE.
- Evita el contacto de este producto con la piel y los ojos. No lo uses para teñirte las pestañas ni las cejas. Podría causar ceguera.
- Si el producto te cae en los ojos, enjuágate los ojos con agua inmediatamente. Si tienes lentes de contacto puestos, quítalos antes de enjuagarte los ojos. Llama a un

médico si la irritación persiste.

- Usa los guantes incluidos en la caja.
- Enjuágate bien el cabello después de la aplicación.
- Para cualquier pregunta relacionada con tu condición particular o alergias específicas, consulta a un médico.
- No lo uses en vellos faciales o corporales ni para otro propósito que no sea teñirte el cabello, ya que podría causar irritación o daño.
- No lo uses en cabello alisado.
- Espera por lo menos 14 días después de hacerte una permanente o una decoloración antes de teñirte.
- No lo uses sobre compuestos de henna o de coloración progresiva.
- No lo inhales ni ingieras. Prepáralo y úsalo en un lugar bien ventilado. Si lo ingieres, llama inmediatamente a un médico, una sala de emergencias o un centro de control de intoxicación.
- Mantén el producto fuera del alcance de los niños. No se lo apliques a niños.

SIGUE LAS INSTRUCCIONES DE APLICACIÓN.

PRUEBA DE COLOR EN UN MECHÓN

ANTES DE QUE TE TIÑAS, HAZTE UNA PRUEBA DE COLOR EN UN MECHÓN PARA VER LOS RESULTADOS DEL COLOR EN TU CABELLO.

- Recorta un mechón de cabello de ¼" de ancho, y ponte cinta adhesiva en uno de los extremos. Ponte los guantes.
- Con un utensilio de plástico, mezcla en un envase de plástico o vidrio 1 cucharadita de la crema colorante Nourishing Color Creme (B) con 1 ½ cucharaditas de la crema reveladora Nourishing Creme Developer (A). Cierra bien las tapas de ambos recipientes.
- Coloca el mechón de cabello en la mezcla de color.
- Déjalo en la mezcla durante 30 minutos.
- Enjuágalo y sécalo para ver los resultados del color en tu cabello.

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CONSEJOS ÚTILES

- Aplicate un poco del acondicionador nutritivo en la línea de nacimiento del cabello, las orejas y en la parte posterior del cuello para evitar mancharte.
- Aplica el tinte en el cabello seco y desenredado.
- Para mantener el color vibrante, no te laves el cabello hasta el día después de teñírtelo.

PASO 1:

Fácil Preparación Y Mezcla Del Tinte

PASO 2:

Comienza A Teñirte

1 ALÍSTATE

- Ponte los guantes nuevos, desprende la punta de la tapa aplicadora de la botella de la crema reveladora (A), y destapa la botella.

2 PREPARACIÓN

- Exprime todo el contenido del tubo de la crema colorante Nourishing Color Creme (B) en la botella de la crema reveladora Nourishing Color Creme (A). No apuntes ninguno de los extremos del tubo hacia tu rostro mientras lo abras o uses.

PRECAUCIÓN: No exprimas ni hagas presión en el tubo de la crema colorante hasta haber perforado completamente la abertura del tubo. No apuntes ninguno de los extremos del tubo hacia tu rostro mientras lo abras o uses. Ten cuidado al usar el contenido del tubo, ya que si hace contacto con los ojos, podría causar ceguera. Nunca dejes cerrada la punta de la botella aplicadora después de mezclar los productos. El envase podría explotar.

3 COMBINA LOS INGREDIENTES

- Abre el concentrado de aceite de fruta (C) y vierte todo el contenido en la botella de la crema reveladora Nourishing Creme (A).

4 MEZCLA Y APLICA

- Coloca nuevamente la tapa aplicadora en la botella de la crema reveladora Nourishing Creme Developer (A) y ciérrala bien. Con los guantes puestos, pon un dedo sobre la abertura de la punta y agita bien la botella para mezclar el contenido. Asegúrate de agitarla en dirección opuesta a tu rostro y tu cuerpo.
- Aplica inmediatamente la mezcla de tinte en el cabello siguiendo las instrucciones de aplicación incluidas en el Paso 2.

APLICACIÓN EN TODO EL CABELLO

HAZLA SI:

- Nunca te has teñido el cabello.
- Quieres oscurecer tu color actual.
- No te has teñido en 3 meses o más.
- *No se recomienda para cabello decolorado, con rayitos o mayormente canoso.

1 APLICA EL TINTE EN EL CABELLO SECO, DESENREDADO Y SIN LAVAR

- Divídetelo el cabello en secciones de ¼ de pulgada con la punta aplicadora (A), y aplícale la mezcla de tinte en las raíces del cabello primero, antes de distribuirlo en el largo y las puntas.
- Si te estás aclarando el cabello, aplícale el tinte primero en las áreas más oscuras.
- Distribuye el tinte en todo el cabello cuidadosamente, de modo que lo satures bien.

2 TIEMPO DE APLICACIÓN

- Cuando termines de aplicarte el tinte, comienza a tomar el tiempo.
- Déjate el tinte 25 minutos. No guardes ningún sobrante de la mezcla, pues el envase podría explotar.

RECUERDA LO SIGUIENTE DURANTE LA APLICACIÓN:

- No te masajees el cuero cabelludo en exceso.
- La mezcla puede cambiar de color (se puede poner más oscura, más intensa) una vez aplicada, pero esto NO representa los resultados del color.
- Usa suficiente mezcla para saturar tu cabello. Deshecha cualquier sobrante de la mezcla.
- Si te cae un poco de mezcla en la piel, échale champú a una toalla húmeda, y úsala para retirar la mezcla de tu piel con delicadeza antes de continuar.

3 ENJUÁGATE

- Cuando se cumpla el tiempo, échate un poco de agua tibia en el cabello y haz espuma con la mezcla de tinte.
- Enjuágate bien el cabello hasta que el agua salga clara.

4 ACONDICIONA

- Aplícale el acondicionador nutritivo con aceites de aguacate, oliva y karité (D). Distribúyelo bien en todo el cabello.
- Déjalo actuar durante 2 minutos.
- Enjuágate el cabello completamente. Sécatelo con una toalla y péinate como de costumbre.
- Usa el acondicionador nutritivo con aceites de aguacate, oliva y karité (D) semanalmente para proteger el cabello.

APLICACIÓN EN TODO EL CABELLO

APLICA



TIEMPO TOTAL
00:25

ENJUAGA Y ACONDICIONA



APLICACIÓN DE RETOQUE

HAZLA SI:

- Quieres retocar las raíces.
- Has usado un tono de las colecciones Ultra Color Black, Reds o Burgundies, o tonos intensos similares.
- *No se recomienda para cabello decolorado, con rayitos o mayormente canoso.

1 APLICA EL TINTE EN EL CABELLO SECO, DESENREDADO Y SIN LAVAR

- Divídetelo el cabello en secciones de ¼ de pulgada con la punta aplicadora (A), y aplícale la mezcla de tinte de manera uniforme en el nuevo crecimiento de raíces, sección por sección. Usa la suficiente cantidad de mezcla para saturar el área de las raíces.

2 TIEMPO DE APLICACIÓN

- Cuando termines de aplicarte el tinte, comienza a tomar el tiempo.
- Déjate el tinte en las raíces 20 minutos.
- Cuando pasen los 20 minutos, distribuye el resto del tinte con cuidado en el largo del cabello y las puntas para reavivar el color. Déjate 5 minutos más. Tiempo total de procesamiento: 25 minutos. Si tus puntas están muy claras, déjate hasta 10 minutos, para un tiempo total de procesamiento de 30 minutos. No guardes ningún sobrante de la mezcla, pues el envase podría explotar.

RECUERDA LO SIGUIENTE DURANTE LA APLICACIÓN:

- No te masajees el cuero cabelludo en exceso.
- La mezcla puede cambiar de color (se puede poner más oscura, más intensa) una vez aplicada, pero esto NO representa los resultados del color.
- Usa suficiente mezcla para saturar tu cabello. Deshecha cualquier sobrante de la mezcla.
- Si te cae un poco de mezcla en la piel, échale champú a una toalla húmeda, y úsala para retirar la mezcla de tu piel con delicadeza antes de continuar.

3 ENJUÁGATE

- Cuando se cumpla el tiempo, échate un poco de agua tibia en el cabello y haz espuma con la mezcla de tinte.
- Enjuágate bien el cabello hasta que el agua salga clara.

4 ACONDICIONA

- Aplícale el acondicionador nutritivo de aceites de aguacate, oliva y karité (D). Distribúyelo delicadamente en el cabello.
- Déjalo actuar durante 2 minutos.
- Enjuágate el cabello completamente. Sécatelo con una toalla y péinate como de costumbre.
- Usa el acondicionador nutritivo con aceites de aguacate, oliva y karité (D) semanalmente para proteger el cabello.

APLICACIÓN DE RETOQUE

APLICA A LAS RAÍCES



APLICA A LO LARGO DEL CABELLO Y LAS PUNTAS



TIEMPO TOTAL
00:25



NOURISHING CREME DEVELOPER (crema reveladora) NOURISHING COLOR CREME (crema colorante) CONCENTRADO DE ACEITE DE FRUTA ACONDICIONADOR NUTRITIVO CON ACEITES DE AGUACATE, OLIVA Y KARITÉ

Con guantes de ajuste fácil y sin PVC.

GARNIER® NUTRISSE®

NOURISHING COLOR CREME

ULTRA COLOR BLACKS, BURGUNDIES, AND REDS

Before using this product, you must read all Usage Advisory-Safety Warnings and follow application instructions carefully.

Thank you for choosing GARNIER NUTRISSE Nourishing Color Creme. The only permanent haircolor with a separate ampoule of grape seed oil so you can start nourishing while you color. Our Nourishing Conditioner with Avocado, Olive & Shea Oils keeps your long-lasting color silkier and shinier than before.

Questions? Talk to your Nutrisse consultant toll free from anywhere in the continental US. 1-800-442-7643. Or visit www.garnierUSA.com to view our easy how-to application videos.

USAGE ADVISORY- SAFETY WARNINGS (READ BEFORE COLORING)

SKIN ALLERGY TEST: TO BE PERFORMED 48 HOURS BEFORE EACH USE OF THIS PRODUCT, EVEN IF YOU HAVE ALREADY USED THIS OR ANOTHER HAIRCOLOR PRODUCT.

SKIN ALLERGY TEST

IMPORTANT: THIS PRODUCT CAN CAUSE AN ALLERGIC REACTION, WHICH, IN CERTAIN RARE CASES, CAN BE SEVERE. TO HELP MINIMIZE THE RISK OF AN ALLERGIC REACTION, YOU MUST FOLLOW THESE PRECAUTIONS.

DO NOT USE IF:

- You have already had a reaction to a haircolor product.
- You have a sensitive, itchy or damaged scalp.

If you have a tattoo, the risk of an allergic reaction may be increased.

PERFORM A SKIN ALLERGY TEST 48 HOURS BEFORE EACH USE OF THIS PRODUCT, AS ALLERGIES CAN DEVELOP SUDDENLY, EVEN IF YOU HAVE PREVIOUSLY USED A HAIRCOLOR PRODUCT FROM THIS BRAND OR ANOTHER.

SKIN ALLERGY TEST INSTRUCTIONS:

- Clean an area the size of a quarter in the bend of your elbow with soap and water. Pat dry.
- Pierce the Nourishing Color Creme tube (B) using the pointed tip of its cap. Do not squeeze or put pressure on color cream tube until you have pierced the tube opening completely.

- Using a plastic utensil, mix a dab of Nourishing Color Creme (B) with a few drops of the Nourishing Creme Developer (A) (the ratio should be 1 part Color Creme to 1½ parts Developer) in a plastic or glass container. Tightly recap the haircolor product and Developer. Do not use metal utensils.
- Apply mixture to the test area with a cotton swab or ball.
- Let test spot dry. Do not wash, cover or disturb for 48 hours.
- Examine test area periodically over the next 48 hours. If you experience any reactions – such as redness, burning, itching, swelling, skin abrasions, eruptions or irritation in or around the test area, DO NOT COLOR YOUR HAIR UNTIL YOU CONSULT A DOCTOR.

IMPORTANT WARNINGS

- IN CASE OF A REACTION WHILE COLORING HAIR, such as stinging, rash or burning sensation on scalp, rinse immediately and discontinue use. IF YOU EXPERIENCE DIFFICULTY BREATHING, TIGHTNESS OF CHEST AND/OR HIVES OR SWELLING AT ANY PLACE ON THE BODY, DISCONTINUE USE AND OBTAIN MEDICAL ASSISTANCE IMMEDIATELY. BEFORE COLORING AGAIN, CONSULT A DOCTOR.
- IN RARE CASES, THE USE OF HAIR COLORANTS HAS BEEN ASSOCIATED WITH SKIN DEPIGMENTATION (SKIN WHITENING OR LOSS OF COLOR). THIS MAY BE TEMPORARY OR PERMANENT. IF YOU NOTICE ANY SKIN DEPIGMENTATION OR ALLERGIC REACTION SUCH AS PAIN OR SEVERE ITCHING, DISCONTINUE USE IMMEDIATELY.
- Avoid contact with skin and eyes. Do not use to color eyelashes or eyebrows. To do so may cause blindness.
- If product gets into eyes, rinse immediately. If you are wearing contact lenses, remove them before rinsing eyes. Call a doctor if irritation persists.

- Wear gloves provided in kit.
- Thoroughly rinse hair after application.
- For any questions relating to your individual sensitivities or specific allergies, consult a doctor.
- Do not use on facial or body hair or for any purposes other than coloring your hair. Irritation or injury could occur.
- Do not use on relaxed hair.
- Wait at least 14 days after bleaching or perming before coloring.
- Do not use over compound henna or progressive color.
- Do not inhale or ingest. Prepare and use in a well-ventilated area. If swallowed, call a doctor, hospital emergency room, or poison control center immediately.
- Keep product out of reach of children. Do not apply on children.

FOLLOW THE APPLICATION INSTRUCTIONS.

STRAND TEST

BEFORE YOU COLOR DO A STRAND TEST TO PREVIEW YOUR COLOR RESULTS.

- Snip a strand of hair ¼" wide and tape at one end. Put gloves on.
- Using a plastic teaspoon, mix 1 teaspoon of Nourishing Color Creme (B) with 1½ teaspoons of the Nourishing Creme Developer (A) in a plastic or glass container. Recap both containers tightly.
- Place hair strand into color mixture.
- Leave in mixture for 25 minutes.
- Rinse and dry to preview your color results.

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HELPFUL HINTS

- Apply a small amount of the Nourishing Conditioner to hairline, ears, and back of neck to prevent possible staining.
- Apply to dry, detangled hair.
- To keep hair color vibrant, do not shampoo your hair until the day after coloring.

STEP 1:

Easy Preparation & Mix Color

STEP 2:

Start To Color

1 GET READY

- Put on the gloves and twist off the Applicator tip of the Nourishing Creme Developer bottle (A) and remove cap from bottle.

2 PREPARATION

- Squeeze out the entire contents of the Nourishing Color Creme tube (B) into the Nourishing Creme Developer bottle (A). Do not point either end of the tube towards face while opening or using.

CAUTION: Do not squeeze or put pressure on Nourishing Color Creme tube (B) until you have pierced the tube opening completely. Do not point either end of tube towards face while opening or using. Use care in working with tube contents. Contact between contents and eyes may cause blindness. Never leave the tip of the applicator bottle unopened after mixing. The container may burst.

3 COMBINE INGREDIENTS

- Snap open the Fruit Oil Concentrate (C) and pour entire contents into Developer bottle.

4 MIX & APPLY

- Replace Applicator tip on Nourishing Creme Developer bottle (A) and close tightly. Place your gloved finger over open tip and shake well to mix contents. Be sure to shake away from your face and body.
- Immediately apply color mixture to hair by following the application instructions in Step 2.



FULL HEAD APPLICATION

IF YOU:

- Have never colored your hair.
- Want to change current haircolor to something darker.
- Have not colored in 3 months or longer.

*Not recommended for bleached, highlighted, or predominantly gray hair.

1 APPLY ON DRY, DETANGLED, UNWASHED HAIR

- Make ¼ inch parts throughout hair with the Applicator tip (A) and apply mixture to roots first before spreading through midlengths and ends until hair is saturated.

- When using haircolor to lighten, first apply where your hair is darkest.

- Work gently through hair to provide best saturation.

2 TIMING

- After you are finished applying, begin timing.
- Leave color on for 25 minutes. Do not save any unused mixture, the container may burst.

PLEASE KEEP IN MIND WHILE APPLYING:

- Do not over-massage your scalp.
- The mixture may change color (become darker, more vibrant) when on your head; it is NOT indicative of the color results.
- Use enough mixture to saturate your hair. Discard any unused mixture.
- If any mixture gets on your skin, dip a damp towel in shampoo and gently remove before continuing.

3 RINSE

- When time is up, add a small amount of warm water to hair and work color mixture into a lather.
- Rinse hair thoroughly until water runs clear.

4 CONDITION

- Apply Nourishing Conditioner with Avocado, Olive & Shea Oils (D) to hair.
- Leave in hair for 2 minutes.
- Rinse hair thoroughly. Towel dry hair and style as usual.
- Use Nourishing Conditioner with Avocado, Olive & Shea Oils (D) weekly to protect hair.

FULL HEAD APPLICATION

APPLY



TOTAL TIME
00:25

RINSE & CONDITION



TOUCH-UP APPLICATION

IF YOU:

- Want to re-do roots.

- Have used Ultra Color Collections: Black, Reds, or Burgundies, or similar intense shades.
- *Not recommended for bleached, highlighted, or predominantly gray hair.

1 APPLY ON DRY, DETANGLED, UNWASHED HAIR

- Make ¼ inch parts throughout hair with the Applicator tip (A) and spread color mixture evenly on new growth of roots, section by section. Use enough mixture to saturate the root area.

2 TIMING

- After you are finished applying, begin timing.
- Leave color on roots for 20 minutes.
- After 20 minutes, work remaining mixture gently through hair length and ends to refresh color. Leave color on for additional 5 minutes. Total development time: 25 minutes. If your ends are significantly lighter, leave on for up to 10 minutes for a total development time of 30 minutes. Do not save any unused mixture, the container may burst.

PLEASE KEEP IN MIND WHILE APPLYING:

- Do not over-massage your scalp.
- The mixture may change color (become darker, more vibrant) when on your head; it is NOT indicative of the color results.
- Use enough of the mixture to saturate your hair. Discard any unused mixture.
- If any mixture gets on your skin, dip a damp towel in shampoo and gently remove before continuing.

3 RINSE

- When time is up, add a small amount of warm water to hair and work color mixture into a lather.
- Rinse hair thoroughly until water runs clear.

4 CONDITION

- Apply Nourishing Conditioner with Avocado, Olive & Shea Oils (D) to hair.
- Leave in hair for 2 minutes.
- Rinse hair thoroughly. Towel dry hair and style as usual.
- Use Nourishing Conditioner with Avocado, Olive & Shea Oils (D) weekly to protect hair.

TOUCH-UP APPLICATION

APPLY TO ROOTS



00:20

APPLY TO LENGTHS & ENDS



00:05

TOTAL TIME
00:25

RINSE & CONDITION



NOURISHING CREME DEVELOPER NOURISHING COLOR CREME FRUIT OIL CONCENTRATE NOURISHING CONDITIONER WITH AVOCADO, OLIVE & SHEA OILS

With easy-fit, PVC-free gloves.

